

ID: CCA_2012040510455937

Number: **201219016**

Release Date: 5/11/2012

Office:

UILC: 6229.00-00

From:

Sent: Thursday, April 05, 2012 10:46:02 AM

To:

Cc:

Subject: RE: TMP issue

If your TEFRA partnership is LP, and LLC is its TMP, then a manager of the LLC under state law would sign for the LLC. The TMP of the LLC or subsequent tiers is irrelevant.

This is covered by page 10, (E)(2) of the attached Notice on Frequently Asked TEFRA questions.

The TMP of a state law entity has no power, as TMP, to sign any document for the state law entity. So if a state law entity is the TMP of a TEFRA partnership, a state law authorized official must sign for the TMP (not its own TMP).

The TMP is a creature of statute whose powers are defined by statute. While a TMP has certain powers vis a vis the partners of the TEFRA partnership (such as extending their period for assessment) he generally has no power under statute to sign any document for the TEFRA entity itself.

Attachment: Chief Counsel Notice CC-2009-027